

Reg. No. B.G. 202

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-C (i)

BANGALORE, TUESDAY, OCTOBER 19, 1971
(ASVIJA 27, SAKA ERA 1893)

No. 253

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION

Bangalore, dated 15th October, 1971

G.S.R. 325. WHEREAS, a draft of the Mysore Agricultural Pests and Diseases Rules, 1971, was published as required by section 20 of the Mysore Agricultural Pests and Diseases Act, 1968 (Mysore Act No. 1 of 1969) in Notification No. GSR 224 (AF. 142 AMS. 69) dated 14th/16th July 1971 in the *Mysore Gazette*, dated 22nd July 1971 inviting objections and suggestions from all persons likely to be affected thereby on or before 31st August 1971;

AND, WHEREAS, the said Gazette was made available to the public on 22nd July 1971;

AND, WHEREAS, no objections or suggestions have been received on the said draft;

NOW, THEREFORE, in exercise of the powers conferred by section 20 of the Mysore Agricultural Pests and Diseases

Act, 1968 (Mysore Act No. 1 of 1969), the Government of Mysore hereby makes the following rules, namely :—

1. Title and commencement.—(1) These rules may be called the Mysore Agricultural Pests and Diseases Rules, 1971.

(2) They shall come into force at once.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) “Act” means the Mysore Agricultural Pests and Diseases Act, 1968 ;

(b) “Form” means a Form appended to these rules ;

(c) “section” means a section of the Act.

3. Notices.—(1) The Notice under section 6 shall be in Form 1, and the Inspecting Officer shall maintain a register of notices given under section 6 in Form 4.

(2) The notice under sub-section (1) of section 8 shall be in Form 2 and the Inspecting Officer shall maintain a register of notices given under section 8 in Form 5.

(3) The notice of demand of costs of any preventive or remedial measures under section 7 or section 9 shall be in Form 3.

(4) Notice under sub-section (1) of section 8 and notice of demand under section 10 shall be served personally by delivering or tendering to the Occupier one of the duplicates of the notice, or by leaving, one of the duplicates with some adult male member of his family or an authorised agent, or by affixing one of the duplicates of the notice to some conspicuous part of the house in which the occupier ordinarily resides and thereupon the notice shall be deemed to have been duly served on the occupier.

4. Cost of preventive and remedial measures.—For the purpose of assessing the cost of any preventive or remedial measures carried out under section 7 or section 9 the cost of labour, material, use of implements and such other relevant things at the prevailing market rates shall be taken into consideration.

5. Appeals.—(1) Prescribed authority for purposes of sections 8 and 11 shall be the Director of Agriculture.

(2) An appeal under section 8 shall be accompanied by the original notice served on the appellant by the Inspecting Officer.

(3) An appeal under section 11 shall be accompanied by the original notice of demand served on the occupier.

(4) The Appellate authority shall communicate a copy of the order passed by it under sub-section (3) of section 8 and sub-section (2) of section 11 to the appellant.

FORM 1

(See Rule 3)

To

.....

Notice is hereby given under section 6 of the Mysore Agricultural Pests and Diseases Act, 1968 (Mysore Act No. 1 of 1969) that the undersigned will enter upon the land or premises specified in the Schedule below after (specify the period of time) from the time of the service of the notice upon you for the purpose of ascertaining whether,—

- (i) any noxious weed, parasite, pests or plant disease exists on such land, water or premises, and
- (ii) the preventive or remedial measures directed to be carried out, have been carried out,

as mentioned in Notification No. dated issued under section 3 of the said Act and published in the official Gazette, dated

SCHEDULE

(* * * *)

(* * * *) Here enter the particulars of land or premises.

Dated

Inspecting Officer.

FORM 2

(See Rule 3)

To

.....

Whereas on inspection of your land or premises it has been noticed that,—

(1) (Here specify the name of pests, plant diseases or noxious weeds) exists on your said land or premises ;

(2) the preventive or remedial measures mentioned in Notification No. dated issued under section 3 of the Mysore Agricultural Pests and Diseases Act, 1968 (Mysore Act No. 1 of 1969) and published in the official Gazette dated have not been carried out by you ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 8 of the said Act, I hereby call upon you to carry out within days of the receipt of this notice, the following preventive or remedial measures, namely,

(Here insert the nature of preventive or remedial measures, as the case may be)

Dated

Inspecting Officer.

FORM 3**(See Rule 3)**

To

.....

Whereas by notice No. dated you were called upon to carry out the preventive or remedial measures specified in the said notice ;

And, whereas, you have not complied with the said notice within the time specified therein or in the order passed on the appeal preferred by you ;

And, Whereas, you have not complied with the said notice within the said notice or order have been carried out by the undersigned or under supervisor of the undersigned as required by sections 7 or 9 of the Mysore Agricultural Pests and Diseases Act, 1968 (Mysore Act No. 1 of 1969)

And, Whereas the costs of the said preventive or remedial measures amounting to Rs. particulars of which are given below, is payable by you ;

And, Whereas, the preventive or remedial measures mentioned in the said Act, you are hereby required to pay the said amount of Rs. within days from the date of this notice.

(Here specify the particulars of demand of costs of preventive or remedial measures)

Dated

Inspecting Officer.

FORM 4

(See Rule 3)

1. Serial No. Village
2. Hobli, Taluk
3. Survey No., Sub-Division No. to which the Notice relates.
4. Name of the Occupier
5. Description of the plants or parts of plants or insect to be destroyed.
6. Date of Service of Notice
7. Who served
8. Date of the expiry of the appeal time
9. Order of the appellate Officer
10. Date of expiry of the period allowed by the Inspecting Officer or in case of an appeal of the period specified by the appellate officer.
11. Whether the prescribed measures are executed by the occupier or by the Inspecting Officer and in the latter case date of execution.
12. Remarks

FORM 5

(See Rule 3)

1. Village
2. Survey and Sub-Division Number
3. Name of Occupier
4. No. and date of the notice issued by the Inspecting Officer to carry out the measure.

5. Date on which the remedial measures were carried out by the Inspecting Officer.
6. Cost in details of the measure taken.
7. Date of despatch of demand to the Deputy Commissioner, D.D.A. and the Office of the Tahsildar.
8. Date of receipt of copy of demand notice by the office of the Tahsildar.
9. Remarks.

[No. A.F. 142 AMS 69.]

By Order and in the name of the President of India,

R. A. NAIK,
Secretary to Government,
Agriculture and Forest Department.